

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

GREGORY R. RADTKE,

Plaintiff,

v.

Case No. 04-C-0510

AMERICAN FEDERATION OF STATE COUNTY &
MUNICIPAL EMPLOYEES MILWAUKEE DISTRICT
COUNCIL 48 and STAFF REPRESENTATIVES UNION,

Defendants.

ORDER

On September 7, 2005, the court conducted a hearing, in accordance with L.R. 7.4, as to plaintiff's motions in limine #1 and #2. Appearing on behalf of the plaintiff was Attorney Alan C. Olson, appearing on behalf of the defendant American Federation of State County & Municipal Employees Milwaukee District Council 48 was Attorney Mark A. Sweet, and appearing on behalf of the defendant Staff Representatives Union (SRU) was Attorney John J. Brennan.

IT IS HEREBY ORDERED,

1. Plaintiff's motion in limine #1 (docket #56) is denied, but plaintiff is awarded attorney fees for bringing the motion. Counsel shall try to agree on the amount.
2. Plaintiff is allowed to conduct depositions of SRU union members regarding the investigation, analysis and advice, by the legal counsel of SRU, concerning Mr. Radtke's discipline, discharge, arbitration, and settlement.
3. SRU has waived attorney/client privilege and will not assert it during the depositions.

4. Plaintiff's request for attorney fees to conduct additional discovery is denied.

5. Plaintiff's motion in limine #2 (docket #57) is denied.
6. Plaintiff may not depose Atty. Brennan.
7. The Final Pretrial Conference remains on October 20, 2005 and the jury trial remains on October 31, 2005.

SO ORDERED this 28th day of September, 2005, at Milwaukee, Wisconsin.

/s/ William E. Callahan, Jr.
WILLIAM E. CALLAHAN, JR.
United States Magistrate Judge